

DEPARTMENT OF HEALTH PROFESSIONS - DIRECTIVES

DIRECTIVE NO.: 5.8

EFFECTIVE: 10-1-2002

SUPERSEDES: _____

APPROVAL: _____

EQUAL OPPORTUNITY IN AGENCY PROCUREMENT

PURPOSE

- The Department of Health Professions is committed to ensuring fair consideration of all suppliers in its day-to-day procurement of services, supplies and construction. We have seen that working with a wide range of suppliers provides a competitive edge in producing high-quality, low-cost innovative products and services. All employees with purchasing responsibility or who are involved in procurement decisions for goods and services are expected to notify and give every consideration to using qualified, small, women-owned and minority (SWAM) suppliers in a manner that is consistent with state and federal laws and regulations. As always, business will be conducted in the highest professional manner.

SUPPLIER DIVERSITY CHAMPION

- The Department of Health Professions demonstrates its commitment to utilizing SWAM suppliers by, among other things, its designation of Ms. Donna Shropshire and Mr. Jack Lewis as its Supplier Diversity Champion(s) to coordinate its supplier diversity efforts. Ms. Shropshire and Mr. Lewis will assist the Department of Health Professions by communicating and watching for supplier diversity opportunities and capturing and monitoring utilization results.

DEFINITIONS

- **Small Business** means a corporation, partnership, sole proprietorship or other legal entity formed for the purpose of making a profit, which is independently owned and operated, and has fewer than 100 employees or less than \$1,000,000 in annual gross receipts.
- **Women-owned business** means a business concern that is at least 51 percent owned by a non-ethnic woman or women (a minority woman is considered as a minority) who are U.S. citizens and who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management of the business. "Ownership" in this context includes stock ownership. (Please note that when reporting results, a business that is owned and operated by a minority woman will be reported as a minority-owned business and a business that is owned and operated by a non-minority woman will be reported as a woman-owned business.)
- **Minority-owned business** means any business concern that is at least 51 percent owned by a minority individual or individuals (who are U.S. citizens) who also control and operate it. "Control," "Operate," and "Ownership" have the same meanings mentioned above. "Minority" includes African Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent-Asian Americans, and other minorities. "Native

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Americans" include American Indians, Eskimos, Aleuts and Native Hawaiians. "Asian-Pacific Americans" include U.S. citizens whose origins are in Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Northern Marina Islands, Laos, Kampuchea (Cambodia), Taiwan, Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Republic of the Marshall Islands, or the Federated States of Micronesia. "Subcontinent-Asian Americans" include U.S. Citizens whose origins are in India, Pakistan, Bangladesh, Sri Lanka, Bhutan, or Nepal.

- **Solicitation** includes Invitation for Bids (IFB), Request for Proposals (RFP), telephone calls, or any other document issued by the state to obtain bids or proposals for the purpose of entering into a contract.

SOLICITATIONS

- Whenever the Department of Health Professions engages in a solicitation, it will include enterprises (that means more than one) selected from the list of certified minority business enterprises (MBE) maintained on the Department of Minority Business Enterprise's (DMBE) web site, dmbe.state.va.us.
- Department of Health Professions' solicitations under \$5,000 will include training to ensure all individuals with that level of procurement authority are trained on how to utilize the minority directory. They will be encouraged to solicit a bid from a supplier listed on the directory. Minority vendors will be highlighted on the American Express form FIN 001 when it is reconciled and a copy will be forwarded to Finance. Minority purchases made through in-house requisitions shall have a large "M" put on the face of the requisition
- Department of Health Professions' solicitations over \$5,000 and up to \$15,000 will include a minimum of three (3) SWAM businesses when available;
- Department of Health Professions' solicitations over \$15,000 and up to \$50,000 will include a minimum of five (5) SWAM businesses when available; and
- Department of Health Professions' solicitations over \$50,000 will include a minimum of six (6) SWAM businesses when available; and
- All Department of Health Professions' solicitations for construction, goods and services of \$100,000 or more will include a requirement that bidders or offerors include, as a part of their proposal, strategies to ensure SWAMs are given every consideration to be included in their subcontracting plans.
 - If applicable, subcontract plans must include:
 - A listing of all SWAM-owned business subcontractors

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- The dollar value of each subcontract
 - A description of the type of work to be performed under each subcontract
 - A telephone number and contact name for each subcontractor
- Solicitations and resulting contracts will contain language requiring the successful bidder or offeror to report actual SWAM-owned business subcontract results on a quarterly basis.

(Please note: Solicitation of SWAM-owned businesses should not be construed as authorizing or directing the exclusion of non SWAM-owned businesses; rather, the purpose is to include as many qualified businesses as possible.)

TRAINING

- The Department of Health Professions will work with DGS, DMBE and other providers to obtain supplier diversity training for its employees, particularly procurement staff
- Such training may include:
 - Workshops
 - Technical Assistance
 - Executive level roundtables

MEASURING RESULTS

- The Department of Health Professions will collect statistics and other documentation and prepare reports relating to supplier diversity efforts.
- Using Forms A and B attached, the Department of Health Professions will report its supplier diversity results quarterly to the DMBE in the case of minority businesses, the applicable Secretary, the Governor and all other levels of management as appropriate.
- Supplier diversity data will show results in each category (small business, women-owned business and minority-owned business) and includes subcontracting results as well.
- Expenditure and classification information will be captured via the eVA electronic procurement system and retrieved from the eVA data warehouse, the Commonwealth Accounting and Reporting System (CARS), any internal databases and subcontracting reports submitted by prime contractors.

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1. The Finance Section is responsible for implementing and monitoring this plan as follows:
 - a. Monthly - Conduct a review of American Express billings and internal requisitions.
 - b. Quarterly - Conduct a review of purchases between \$5,000 and \$50,000.
 - c. Semi-Annually - Conduct a review of purchases over \$50,000.

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FORM A
DEPARTMENT OF HEALTH PROFESSIONS
SWAM-OWNED BUSINESS
QUARTERLY UTILIZATION REPORT

Reporting Period: Fiscal Year _____ Quarter ____ (1st, 2nd, 3rd, 4th)

DIRECT EXPENDITURES: The amount spent with SWAM-owned businesses for work directly traceable to the fulfillment of a contract(s) with the Department of Health Professions (**Note: please do not include agency salaries, postage, etc. in these figures; we are looking for discretionary purchases**)

Class: (MB) Minority Business, (WB) Women-owned Business, (SB) Small Business

MB/WB/SB Used	Class	Telephone	Services/Products Provided	Dollars
			A) Total this page	
			B) Total from additional pages	
			C) Total Dollars (A&B)	

PERCENTAGE OF TOTAL PROCUREMENT EXPENDITURES WITH SWAM SUPPLIERS

Fiscal Year	Total Procurement Expenditures with all Suppliers	Percent with MB Suppliers	Percent with WB Suppliers	Percent with SB Suppliers
Current				
Previous				

BASELINE DIRECT EXPENDITURES FOR THE LAST 3 FISCAL YEARS

Fiscal Year	Class	Total Dollar Amount

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<p align="center">FORM B DEPARTMENT OF HEALTH PROFESSIONS SWAM-OWNED BUSINESS QUARTERLY UTILIZATION REPORT</p>

Reporting Period: Fiscal Year _____ Quarter ____ (1st, 2nd, 3rd, 4th)

SUBCONTRACTING EXPENDITURES: The amount spent by prime contractors with the Department of Health Professions SWAM-owned businesses for work directly traceable to the fulfillment of a contract(s) with the Department of Health Professions (**Note: please do not include agency salaries, postage, etc. in these figures; we are looking for discretionary purchases**)

Class: (MB) Minority Business, (WB) Women-owned Business, (SB) Small Business

MB/WB/SB Used	Class	Telephone	Services/Products Provided	Dollars
			A) Total this page	
			B) Total from additional pages	
			C) Total Dollars (A&B)	

PERCENTAGE OF TOTAL SUBCONTRACTING EXPENDITURES (if available) WITH SWAM SUPPLIERS

Fiscal Year	Total Subcontracting Expenditures with all Suppliers	Percent with MB Suppliers	Percent with WB Suppliers	Percent with SB Suppliers
Current				
Previous				

BASELINE SUBCONTRACTING EXPENDITURES (if available) FOR THE LAST 3 FISCAL YEARS

Fiscal Year	Class	Total Dollar Amount